AO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 1 - D. Massachusetts - 10/05

UNITED STATES DISTRICT COURT

District of Massachusetts

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

DZHOKHAR A. TSARNAEV a/k/a Jahar Tsarni

Case Number: 1: 13 CR 10200 - 001 - GAO

USM Number: 95079-038

MIRIAM CONRAD, JUDY CLARKE, ESQUIRES

Defendant's Attorney Additional documents attached Correction of Sentence for Clerical Mistake (Fed. R. Crim. P.36) THE DEFENDANT: pleaded guilty to count(s) pleaded nolo contendere to count(s) which was accepted by the court. was found guilty on count(s) Counts 1 through 30 (Date of Verdict: 4/8/15) after a plea of not guilty. The defendant is adjudicated guilty of these offenses: Additional Counts - See continuation page Offense Ended Count **Title & Section** Nature of Offense 18 USC Sec. 2332a Conspiracy to use a Weapon of Mass Destruction Resulting in Death 04/19/13 (a)(2)18 USC Sec. 2332a Use of a Weapon of Mass Destruction Resuliting in Death 04/15/13 2 (a)(2)The defendant is sentenced as provided in pages 2 through of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. The defendant has been found not guilty on count(s) are dismissed on the motion of the United States. Count(s) It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances. 06/24/15 Date of Imposition of Judgment Signature of Judge George A. O'Toole, Jr. Judge, U.S. District Court Name and Title of Judge Kune 24 2015 Date

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(Rev. 06/05) Judgment in a Criminal Case Sheet 1A - D. Massachusetts - 10/05

DEFENDANT: DZI

DZHOKHAR A. TSARNAEV

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ADDITIONAL COUNTS OF CONVICTION

+

Title & Section	Nature of Offense	Offense Ended	Count
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a Crime	04/15/13	3
& (j)	of a Violence Resulting in Death		
18 USC Sec. 2332a	Use a Weapon of Mass Destruction Resulting in Death	04/15/13	4
(a)(2)			
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/15/13	5
& (j)	Crime of Violence Resulting in Death		
18 USC Sec. 2332f	Conspiracy to Bomb a Place of Public Use Resulting in Death	04/19/13	6
(a)(1) & (a)(2) & (c)			
18 USC Sec 2332f	Bombing a Place of Public Use Resulting in Death	04/15/13	7
(a)(1) & (c)			
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/15/13	8
& (j)	Crime of Violence Resulting in Death		
18 USC Sec. 2332f	Bombing a Place of Public Use Resulting in Death	04/15/13	9
(a)(1) & (c)			
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/15/13	10
& (j)	Crime of Violence Resulting in Death		
18 USC Sec. 844(i)	Conspiracy to Maliciously Destroy Property Resulting in	04/19/13	11
& (n)	Personal Injury and Death		
18 USC Sec. 844(i)	Malicious Destruction of Property Resulting in Personal Injury	04/15/13	12
	and Death		

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(Rev. 06/05) Judgment in a Criminal Case Sheet 1A - D. Massachusetts - 10/05

DEFENDANT:

DZHOKHAR A. TSARNAEV

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ADDITIONAL COUNTS OF CONVICTION

Title & Section	Nature of Offense	Offense Ended	Count
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a Crime	04/15/13	13
& (j)	of Violence Resulting in Death;		
18 USC Sec. 844(i);	Malicious Destruction of Property Resulting in Personal Injury	04/15/13	14
	and Death		
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/15/13	15
& (j)	Crime of Violence Resulting in Death		
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/18/13	16
& (j)	Crime of Violence Resulting in Death		
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/18/13	17
& (j)	Crime of Violence Resulting in Death		
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/18/13	18
& (j)	Crime of Violence Resulting in Death		
18 USC Sec. 2119(2)	Carjacking Resulting in Serious Bodily Injury	04/18/13	19
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/18/13	20
	Crime of Violence		
18 USC Sec. 1951	Interference with Commerce by Threats and Violence	04/18/13	21
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/18/13	22
	Crime of Violence		
18 USC Sec. 2332a	Use of a Weapon of Mass Destruction	04/19/13	23
(a)(2)			

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(Rev. 06/05) Judgment in a Criminal Case Sheet 1A - D. Massachusetts - 10/05

DEFENDANT:

DZHOKHAR A. TSARNAEV

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ADDITIONAL COUNTS OF CONVICTION

Title & Section	Nature of Offense	Offense Ended	Count
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/19/13	24
	Crime of Violence		
18 USC Sec. 2332a	Use of a Weapon of Mass Destruction	04/19/13	25
(a)(2)			
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/19/13	26
	Crime of Violence		
18 USC Sec. 2332a	Use of a Weapon of Mass Destruction	04/19/13	27
(a)(2)			
18 USC Sec 924(c)	Possession and Use of a Firearm During and in Relation to a	04/19/13	28
	Crime of Violence		
18 USC Sec. 2332a	Use of a Weapon of Mass Destruction	04/19/13	29
(a)(2)			
18 USC Sec. 924(c)	Possession and Use of a Firearm During and in Relation to a	04/19/13	30
	Crime of Violence		

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(Rev. 06/05) Judgment in a Criminal Case Sheet 2 - D. Massachusetts - 10/05

DEFENDANT: DZHOKHAR A. TSARNAEV CASE NUMBER: 1: 13 CR 10200 - 001 - GAO	Ħ	Judgment — Page 5 of	12
IMPRISO	NMENT		
The defendant is hereby committed to the custody of the United total term of:	States Bureau of Prise	ons to be imprisoned for a	
Upon the jury's verdict, the defendant is sentenced to dea	th on Counts 4, 5,	9, 10, 14, and 15.	
The court makes the following recommendations to the Bureau	of Prisons:		
The defendant is remanded to the custody of the United States N	Marshal.		
The defendant shall surrender to the United States Marshal for t	his district:		
at a.m p.m.	on	·	
as notified by the United States Marshal.			
The defendant shall surrender for service of sentence at the insti	itution designated by t	he Bureau of Prisons:	
before 2 p.m. on .			
as notified by the United States Marshal.			
as notified by the Probation or Pretrial Services Office.			
as notified by the Probation of Prediat Services office.			
RETU	URN		
I have executed this judgment as follows:			
Defendant delivered on	to		
a, with a certified copy	of this judgment.		
		UNITED STATES MARSHAL	
3	Ву	EPUTY UNITED STATES MARSHAL	
	D.		

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(Rev. 06/05) Judgment in a Criminal Case Sheet 2A - D. Massachusetts - 10/05

DEFENDANT: DZHOKHAR A. TSARNAEV

CASE NUMBER: 1: 13 CR 10200 - 001 - GAO

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ADDITIONAL IMPRISONMENT TERMS

As to Counts 1, 2, 6, 7, and 12, life imprisonment without the possibility of release, the sentences on these enumerated counts to be served concurrently.

As to Counts 11, 23, 25, 27, and 29, life imprisonment, the sentences on these five counts to be served concurrently with each other, but consecutively to the terms of imprisonment imposed on Counts 1, 2, 6, 7, and 12.

As to Count 19, imprisonment for a term of 25 years. As to Count 21, imprisonment for a term of 20 years. The sentences on these two counts are to be served concurrently with each other, but consecutively to the terms of imprisonment imposed as to Counts 11, 23, 25, 27, and 29.

As to Count 3, life imprisonment without the possibility of release, to be served consecutively to all prior terms of imprisonment.

As to Count 8, life imprisonment without the possibility of release, to be served consecutively to all prior terms of imprisonment.

As to Count 13, life imprisonment without the possibility of release, to be served consecutively to all prior terms of imprisonment.

As to Count 16, life imprisonment without the possibility of release, to be served consecutively to all prior terms of imprisonment.

As to Count 17, life imprisonment without the possibility of release, to be served consecutively to all prior terms of imprisonment.

As to Count 18, life imprisonment without the possibility of release, to be served consecutively to all prior terms of imprisonment.

As to Count 20 and 22, terms of 7 years and 25 years, respectively. As to Counts 24, 26, 28, and 30, life imprisonment. These sentences are to be served consecutively to each other and consecutively to all prior terms of imprisonment.

Defendant is committed to the custody of the Attorney General until the exhaustion of the procedures for appeal of the judgement of conviction and for review of the sentences. See 18 USC Sec. 3596(a). When the sentence of death is to be implemented, the Attorney General shall release the defendant to the custody of a United States Marshal, who shall supervised the implementation of the sentence in the manner prescribed by the law of the State of Indiana. See 18 USC Sec. 3596(a).

	Case 1:13-cr-10200-GA	AO Document 1	.480 Filed 06/24/	15 Page 7 of 12									
S AO 245B(05-MA) (Rev. 06/05) Judgment in a Crimina Sheet 5 - D. Massachusetts - 10/05	l Case											
DEFENDANT CASE NUMB	ER: 1: 13 CR 10200 - 0	001 - GAO	ARY PENALTIES	odgment — Page7 of	12								
The defend	The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.												
TOTALS	\$ \$3,000.00	Fine \$		Restitution \$									
	ination of restitution is deferred un letermination.	ntil <u>09/22/15</u> . An <i>Am</i>	ended Judgment in a C	riminal Case (AO 245C) w	ill be entered								
The defend	ant must make restitution (includi	ng community restituti	on) to the following paye	es in the amount listed below	w.								
If the defen the priority before the U	dant makes a partial payment, each order or percentage payment colu United States is paid.	h payee shall receive a ımn below. However,	n approximately proporti pursuant to 18 U.S.C. §	oned payment, unless specifi 3664(i), all nonfederal victir	ed otherwise in ns must be paid								
Name of Payee	Total Lo	<u> 088*</u>	Restitution Ordered	Priority or P	ercentage								
				☐ See C	ontinuation								
TOTALS	ç	\$0.00 \$	\$0.0	Page									
Restitution The defend fifteenth d to penaltie The court of the interest of the court of the interest of the court of the interest of the inte	amount ordered pursuant to plead ant must pay interest on restitution ay after the date of the judgment, part of the defendant does the defendant does the terest requirement is waived for the terest requirement for the	agreement \$ on and a fine of more the pursuant to 18 U.S.C. § 36 as not have the ability to the fine record fine r	nan \$2,500, unless the res § 3612(f). All of the pay 512(g).	titution or fine is paid in ful ment options on Sheet 6 may									

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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(Rev. 06/05) Judgment in a Criminal Case Sheet 6 - D. Massachusetts - 10/05

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DEFENDANT: CASE NUMBER: 1: 13 CR 10200 - 001 - GAO

DZHOKHAR A. TSARNAEV

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	SCHEDULE OF PAYMENTS	
Hav	wing assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:	
A	Lump sum payment of \$ due immediately, balance due	
В	not later than, or in accordance C, D, E, or F below; or Payment to begin immediately (may be combined with C, D, or F below); or	
C	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over the date of this judge (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judge.	r a period of gment; or
D	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over term of supervision; or (e.g., weekly, monthly, quarterly) installments of \$ over term of supervision; or (e.g., 30 or 60 days) after release from imprinted term of supervision; or (e.g., weekly, monthly, quarterly) installments of \$ over term of supervision; or (e.g., 30 or 60 days) after release from imprinted term of supervision; or (e.g., 30 or 60 days) after release from imprinted term of supervision; or (e.g., 30 or 60 days) after release from imprinted term of supervision; or (e.g., 30 or 60 days) after release from imprinted term of supervision; or (e.g., 30 or 60 days) after release from imprinted term of supervision; or	r a period of sonment to a
E	Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at	
F	Special instructions regarding the payment of criminal monetary penalties:	
	The assessment fee is due forthwith.	
	aless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary per prisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons sponsibility Program, are made to the clerk of the court. e defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.	nalties is due during l'Inmate Financial
	Joint and Several	See Continuation Page
	Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and So and corresponding payee, if appropriate.	•
	The defendant shall pay the cost of prosecution.	
	The defendant shall pay the following court cost(s):	
\geq	The defendant shall forfeit the defendant's interest in the following property to the United States:	
	See Preliminary Order of Forfeiture.	
Pay	yments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine	principal,

AO 245B (Rev. 06/05) Criminal Judgment

Attachment (Page 1) — Statement of Reasons - D. Massachusetts - 10/05

DZHOKHAR A. TSARNAEV DEFENDANT:

CASE NUMBER: 1: 13 CR 10200 - 001 - GAO

DISTRICT:

MASSACHUSETTS

STATEMENT OF REASONS

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A		The court adopts the presentence investigation report without change.								
В		The court adopts the presentence investigation report with the following changes. (Check all that apply and specify court determination, findings, or comments, referencing paragraph numbers in the presentence report, if applicable (Use Section VIII if necessary.)								
	1	Chapter Two of the U.S.S.G. Manual determinations by court (including changes to base offense level, or specific offense characteristics):								
	2	Chapter Three of the U.S.S.G. Manual determinations by court (including changes to victim-related adjustments, role in the offense, obstruction of justice, multiple counts, or acceptance of responsibility):								
	3	Chapter Four of the U.S.S.G. Manual determinations by court (including changes to criminal history category or scores, career offender, or criminal livelihood determinations):								
	4	Additional Comments or Findings (including comments or factual findings concerning certain information in the presentence report that the Federal Bureau of Prisons may rely on when it makes inmate classification, designation, or programming decisions):								
С		The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32.								
C	OURT	FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.)								
Α		No count of conviction carries a mandatory minimum sentence.								
В	V	Mandatory minimum sentence imposed.								
C		One or more counts of conviction alleged in the indictment carry a mandatory minimum term of imprisonment, but the sentence imposed is below a mandatory minimum term because the court has determined that the mandatory minimum does not apply based on								
		findings of fact in this case								
		substantial assistance (18 U.S.C. § 3553(e))								
		the statutory safety valve (18 U.S.C. § 3553(f))								
C	OURT	DETERMINATION OF ADVISORY GUIDELINE RANGE (BEFORE DEPARTURES):								
	-	ense Level: 43								
		History Category: VI nent Range: life to life months								
Su	pervise	d Release Range: 2 to life years								
Fir	ne Rang	ge: \$ 25,000 to \$ 250,000								

AO 245B (05-MA) (Rev. 06/05) Criminal Judgment

Attachment (Page 2) - Statement of Reasons - D. Massachusetts - 10/05

Judgment --- Page 10 of 12 DZHOKHAR A. TSARNAEV DEFENDANT: Ŧ CASE NUMBER: 1: 13 CR 10200 - 001 - GAO DISTRICT: **MASSACHUSETTS** STATEMENT OF REASONS ADVISORY GUIDELINE SENTENCING DETERMINATION (Check only one.) $\mathbf{A} \mathbf{Z}$ The sentence is within an advisory guideline range that is not greater than 24 months, and the court finds no reason to depart. в 🗆 The sentence is within an advisory guideline range that is greater than 24 months, and the specific sentence is imposed for these reasons. (Use Section VIII if necessary.) C The court departs from the advisory guideline range for reasons authorized by the sentencing guidelines manual. (Also complete Section V.) D The court imposed a sentence outside the advisory sentencing guideline system. (Also complete Section VI.) DEPARTURES AUTHORIZED BY THE ADVISORY SENTENCING GUIDELINES (If applicable.) A The sentence imposed departs (Check only one.): below the advisory guideline range above the advisory guideline range B Departure based on (Check all that apply.): 1 Plea Agreement (Check all that apply and check reason(s) below.): 5K1.1 plea agreement based on the defendant's substantial assistance 5K3.1 plea agreement based on Early Disposition or "Fast-track" Program binding plea agreement for departure accepted by the court plea agreement for departure, which the court finds to be reasonable П plea agreement that states that the government will not oppose a defense departure motion. 2 Motion Not Addressed in a Plea Agreement (Check all that apply and check reason(s) below.): 5K1.1 government motion based on the defendant's substantial assistance 5K3.1 government motion based on Early Disposition or "Fast-track" program government motion for departure defense motion for departure to which the government did not object defense motion for departure to which the government objected 3 Other Other than a plea agreement or motion by the parties for departure (Check reason(s) below.): C Reason(s) for Departure (Check all that apply other than 5K1.1 or 5K3.1.) 4A1.3 Criminal History Inadequacy 5K2.1 5K2.11 Lesser Harm 5H1.1 5K2.2 Physical Injury 5K2.12 Coercion and Duress Age 5K2.3 Extreme Psychological Injury 5K2.13 Diminished Capacity 5H1.2 **Education and Vocational Skills** 5K2.14 Public Welfare Abduction or Unlawful Restraint 5H1.3 Mental and Emotional Condition 5K2.4 Physical Condition 5K2.5 Property Damage or Loss 5K2.16 Voluntary Disclosure of Offense 5H1.4 5K2.17 High-Capacity, Semiautomatic Weapon 5H1.5 **Employment Record** 5K2.6 Weapon or Dangerous Weapon П Disruption of Government Function 5K2.18 Violent Street Gang Family Ties and Responsibilities 5K2.7 5H1.6 5K2.20 Aberrant Behavior Military Record, Charitable Service, Extreme Conduct 5H1.11 5K2.8 Good Works 5K2.21 Dismissed and Uncharged Conduct 5K2.9 Criminal Purpose 5K2.10 Victim's Conduct 5K2.22 Age or Health of Sex Offenders Aggravating or Mitigating Circumstances 5K2.0 5K2.23 Discharged Terms of Imprisonment Other guideline basis (e.g., 2B1.1 commentary)

Explain the facts justifying the departure. (Use Section VIII if necessary.)

D

AO 245B (05-MA) (Rev. 06/05) Criminal Judgment

D

Attachment (Page 3) — Statement of Reasons - D. Massachusetts 10/05

12 Judgment — Page 11 of **DZHOKHAR A. TSARNAEV DEFENDANT:** + CASE NUMBER: 1: 13 CR 10200 - 001 - GAO DISTRICT: **MASSACHUSETTS** STATEMENT OF REASONS COURT DETERMINATION FOR SENTENCE OUTSIDE THE ADVISORY GUIDELINE SYSTEM (Check all that apply.) Α The sentence imposed is (Check only one.): below the advisory guideline range above the advisory guideline range Sentence imposed pursuant to (Check all that apply.): \mathbf{B} 1 Plea Agreement (Check all that apply and check reason(s) below.): binding plea agreement for a sentence outside the advisory guideline system accepted by the court plea agreement for a sentence outside the advisory guideline system, which the court finds to be reasonable П П plea agreement that states that the government will not oppose a defense motion to the court to sentence outside the advisory guideline system 2 Motion Not Addressed in a Plea Agreement (Check all that apply and check reason(s) below.): government motion for a sentence outside of the advisory guideline system defense motion for a sentence outside of the advisory guideline system to which the government did not object defense motion for a sentence outside of the advisory guideline system to which the government objected 3 Other Other than a plea agreement or motion by the parties for a sentence outside of the advisory guideline system (Check reason(s) below.): C Reason(s) for Sentence Outside the Advisory Guideline System (Check all that apply.) the nature and circumstances of the offense and the history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense (18 U.S.C. § 3553(a)(2)(A)) to afford adequate deterrence to criminal conduct (18 U.S.C. § 3553(a)(2)(B)) to protect the public from further crimes of the defendant (18 U.S.C. § 3553(a)(2)(C)) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner (18 U.S.C. § 3553(a)(2)(D)) to avoid unwarranted sentencing disparities among defendants (18 U.S.C. § 3553(a)(6)) to provide restitution to any victims of the offense (18 U.S.C. § 3553(a)(7))

Explain the facts justifying a sentence outside the advisory guideline system. (UseSection VIII if necessary.)

'AO 245B (*05-MA) (Rev. 06/05) Criminal Judgment

Attachment (Page 4) - Statement of Reasons - D. Massachusetts - 10/05

DZHOKHAR A. TSARNAEV DEFENDANT:

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CASE NUMBER: 1: 13 CR 10200 - 001 - GAO DISTRICT:

MASSACHUSETTS

210							STA	TEM	ENT	OF RE	ASO	NS							
VII	II COURT DETERMINATIONS OF RESTITUTION																		
	A Restitution Not Applicable.																		
	B Total Amount of Restitution:																		
	C Restitution not ordered (Check only one.):																		
	For offenses for which restitution is otherwise mandatory under 18 U.S. identifiable victims is so large as to make restitution impracticable under																		
		2		issues of f	act and re	lating them	to the cau	se or amo	unt of the	der 18 U.S.C victims' loss atweighed by	ses would	d complica	ate or pro	long the	sentenci	ing proc	cess to a	degree	(B).
	For other offenses for which restitution is authorized under 18 U.S.C. § 3 ordered because the complication and prolongation of the sentencing prothe need to provide restitution to any victims under 18 U.S.C. § 3663(a)(ess resul	-	•		_				
		4		Restitution	n is not or	dered for of	her reason	ıs. (Expla	uin.)										
D Partial restitution is ordered for these reasons (18 U.S.C. § 3553(c)):																			
VIH	AD	DITIC	ONA	L FACT	S JUST	IFYING	THE S	ENTEN	NCE IN	THIS CA	SE (If	applicat	ble.)						
			S	ections I,	II, III,	V, and V	II of the	Statem	ent of R	leasons for	m must	t be com	pleted	in all fe	elony o	cases.			
Defe	ndant	t's So	c. Se	c. No.: _	000-00	-0491					Dat	e of Imp 5/24/15	osition	of Jud	gment				
Defe	ndant	t's Da	te of	Birth: _	00-00-	1993		_				<u> </u>	/C	mu	AQ.	Du			_
Defe	ndant	t's Re	siden	ce Addre	ess: Cm	bridge, MA	02139				Sign	nature of	f Judge	-(,,,,	Judge	e, U.S.	Distric	t Court
Defe	endan	t's Ma	iling	Address	: San	ne as Above	;				Nan	ne and T e Signed	Title of .		29		015	-	